

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Matthias Ebert et al.

Serial No. : 10/575,300

Group Art Unit: 1642

Filed : September 18, 2006

Examiner: Sean E. Aeder

For : MN and Cancer Prognosis

AMENDMENT

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Amendment is in response to the Office Action mailed from the U.S. Patent and Trademark Office (PTO) on May 17, 2007. Preliminary to further examination of the above-identified application, Applicants respectfully request that the specification and the claims be amended as indicated below.

Election's Finality

Applicants respectfully acknowledge the Examiner's finalizing the election. Applicants have traversed the Restriction Requirement, having asserted unity of invention in regard to Groups I and II, particularly in view of the detection/quantitation of gene expression products, whether protein/polypeptide or nucleic acid, being conventional in the art. Applicants respectfully reserve the right under 35 USC § 121 to file subsequent divisional applications(s) to protect the invention commensurate with the scope as originally filed.

As a consequence of the Election's finality, Applicants have amended the pending claims to reflect that the methods are those of Group I of the Restriction

Requirement (dated March 6, 2007), that is wherein the MN/CA9 expression products are MN/CA IX proteins/polypeptides, rather than of Group II, that is, wherein the MN/CA9 expression products are MN/CA9 polynucleotides.